

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 5/29/2018

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Conditional Use which is regulated by either Chapter 23, the Town/County Zoning Code, or Chapter 27, the Shoreland Zoning Code. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 5/29/2018 at 6:30 p.m. in Conference Room 120 of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON CONDITIONAL USE REQUEST

Application No.: 2018-CU-4510

Applicant: MY41PROPERTIES LLC

Agent: KNEBEL, RAYMOND J

Location of Premises: 1457 PLANEVIEW DR, OSHKOSH, WI 54904

Tax Parcel No.: 012-027601

Legal Description:

Being a part of the NE 1/4 of the SE 1/4, Section 16, Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin.

Code Reference:

23.8-291 "Heavy Vehicle Sales and Rentals

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit for the sale of recreational vehicles.

INITIAL STAFF REPORT

Sanitation:

Existing System
Private System

Overlays:

None

Current or Proposed Zoning:

B-3 Regional Business

Code Reference:

23.8-291 "Heavy Vehicle Sales and Rentals

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit for the sale of recreational vehicles.

Surrounding Zoning:

North: B-3

South: I-2

East: N/A

West: I-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe the Proposed Use:

Adding a RV license to an existing used car dealership that's been in existence for over 2 years.

Our focus will be on pop-up campers although there may be an occasional travel trailer or 5th wheel camper.

Describe How the Proposed Use Will Not Have Any Adverse Effects on Surrounding Property:

There will be no adverse effects.

SECTION REFERENCE AND BASIS OF DECISION

23.7-114 Basis of decision

The town board and town plan commission of the town in which the proposed conditional use is located in making their recommendation and Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;

- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

In the event the conditional use being proposed is an adult-oriented establishment, the above-named decision-making bodies shall not consider the nature of expressive conduct protected by the U.S. Constitution with regard to any of the above-mentioned criteria.

23.8-277 to 23.8-280 Reserved

Series 6 Food and Beverage Sales

23.8-281 Brewpub

- (a) **Local license.** Prior to the establishment of a brewpub, the operator shall obtain a license from the county, as may be required, and maintain such license for the life of the use or until the county no longer requires such license.
- (b) **State license.** Prior to the establishment of a brewpub, the operator shall obtain a license from the state, as may be required, and maintain such license for the life of the use or until the state no longer requires such license.
- (c) **Limitation on floor area devoted to production.** No more than 40 percent of the floor area shall be devoted to the production of fermented malt beverages, including storage of raw materials and finished products.
- (d) **Limitation on production.** Not more than 10,000 barrels (310,000 gallons) of fermented malt beverages may be manufactured in a calendar year.

23.8-282 Restaurant

Prior to the establishment of a restaurant, the operator shall obtain a license from the Winnebago County Health Department and maintain such license for the life of the use or until the department no longer requires such license.

23.8-283 Tavern

- (a) **Local license.** Prior to the establishment of a tavern, the operator shall obtain a license from the town in which the use is located and maintain such license for the life of the use or until the license is no longer required.
- (b) **Compliance with state requirements.** A tavern shall comply with requirements as may be adopted by the state of Wisconsin.

23.8-284 to 23.8-290 Reserved

Series 7. Vehicle Rental, Sales, and Service

23.8-291 Heavy vehicle sales and rental

Outdoor display areas and other activity areas shall be located at least 50 feet from a property in a residential zoning district and 25 feet from a property in a commercial or mixed-use zoning district.

↳ neighbors are commercial + industrial zoned

23.8-292 Truck stop

- (a) **Minimum lot area and location.** A truck stop established after April 29, 2012, shall be located on a parcel containing at least 10 acres that is located within 2,000 feet of a U.S. highway or a state highway.
- (b) **Access.** Each access to the parcel with a truck stop shall be off of a road classified as an arterial or a higher classification as depicted on the zoning map or a supplemental map.
- (c) **Restroom facilities.** If a truck stop provides restroom facilities, the door to each restroom shall be accessed from within the interior of the building in which they are located.
- (d) **Pump island canopies.** Pump island canopies shall not exceed 22 feet in height.
- (e) **Location of parking areas.** Areas designated or used for truck parking and other similar activity areas shall be designed and located so that noise levels at the property boundary line of a property in a residential zoning district do not exceed 60 decibels as measured on a dB(A) scale between the hours of 10:00 p.m. and 7:00 a.m.

23.8-293 Vehicle fuel station

- (a) **Restroom facilities.** If a vehicle fuel station provides restroom facilities, the door to each restroom shall be accessed from within the interior of the building in which they are located.
- (b) **Pump island canopies.** Pump island canopies shall not exceed 22 feet in height.



Site Map

Legend

- Address Marker
- Tax Parcel
- Local Road
- Private Road
- Road R.O.W.

Simultaneous Conveyance

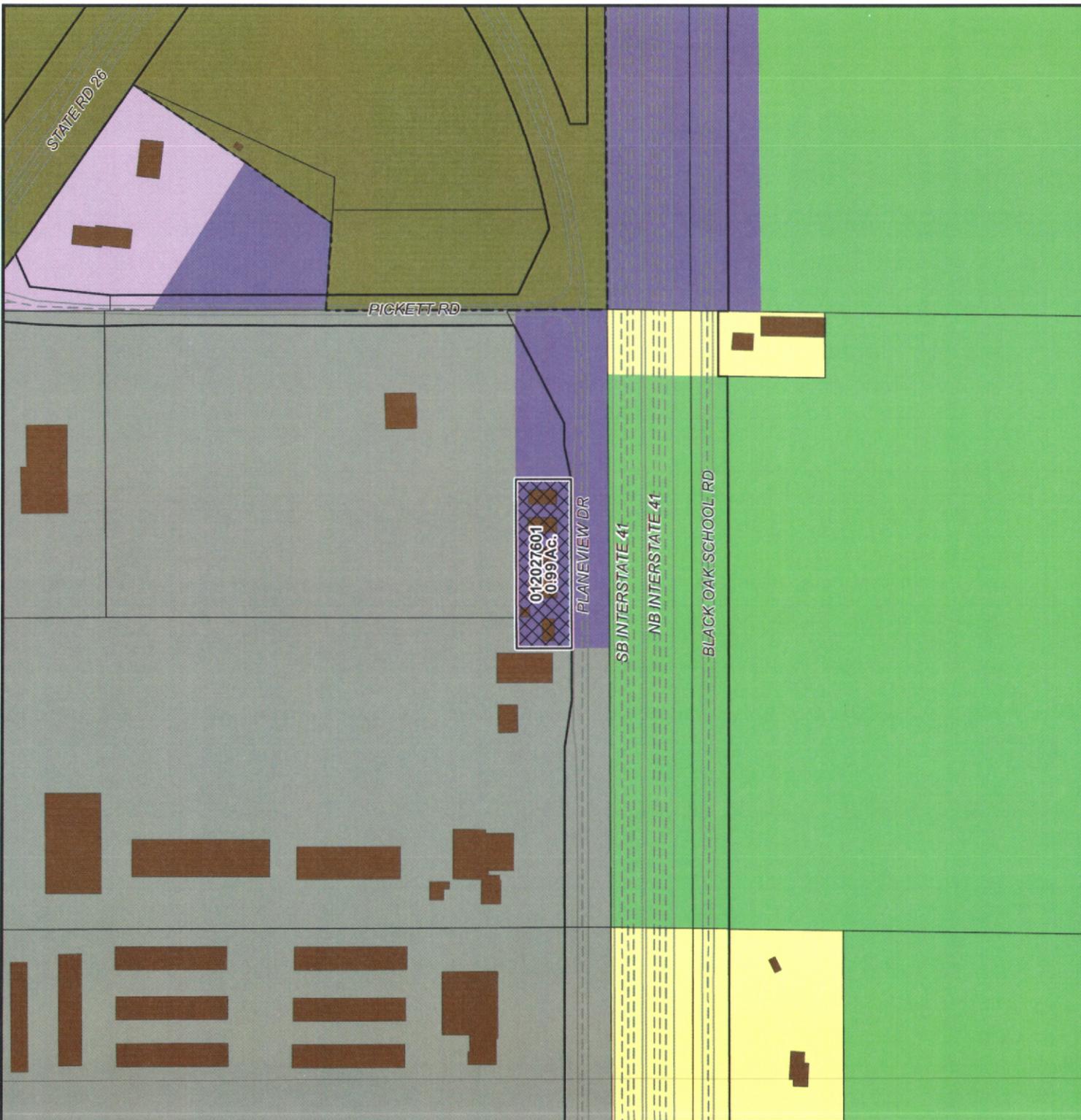
- Certified Survey
- Condominium
- Assessor Plat
- Subdivision
- Plat of Survey
- Conveyance Divisions

25 0 25 50 ft

1 Inch = 50 Feet

W.I.N.G.S. Project Disclaimer
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Feb 26, 2018 @ 04:02 PM



Application #18-CU-4510

Date of Hearing:
May 29, 2018

Owner(s):
MY41PROPERTIES, LLC

Subject Parcel(s):
012027601



Winnebago County
 WINGS Project

Scale
 1 inch : 300 feet

County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial Zoning Jurisdiction

Incorporated Area

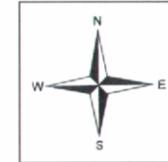
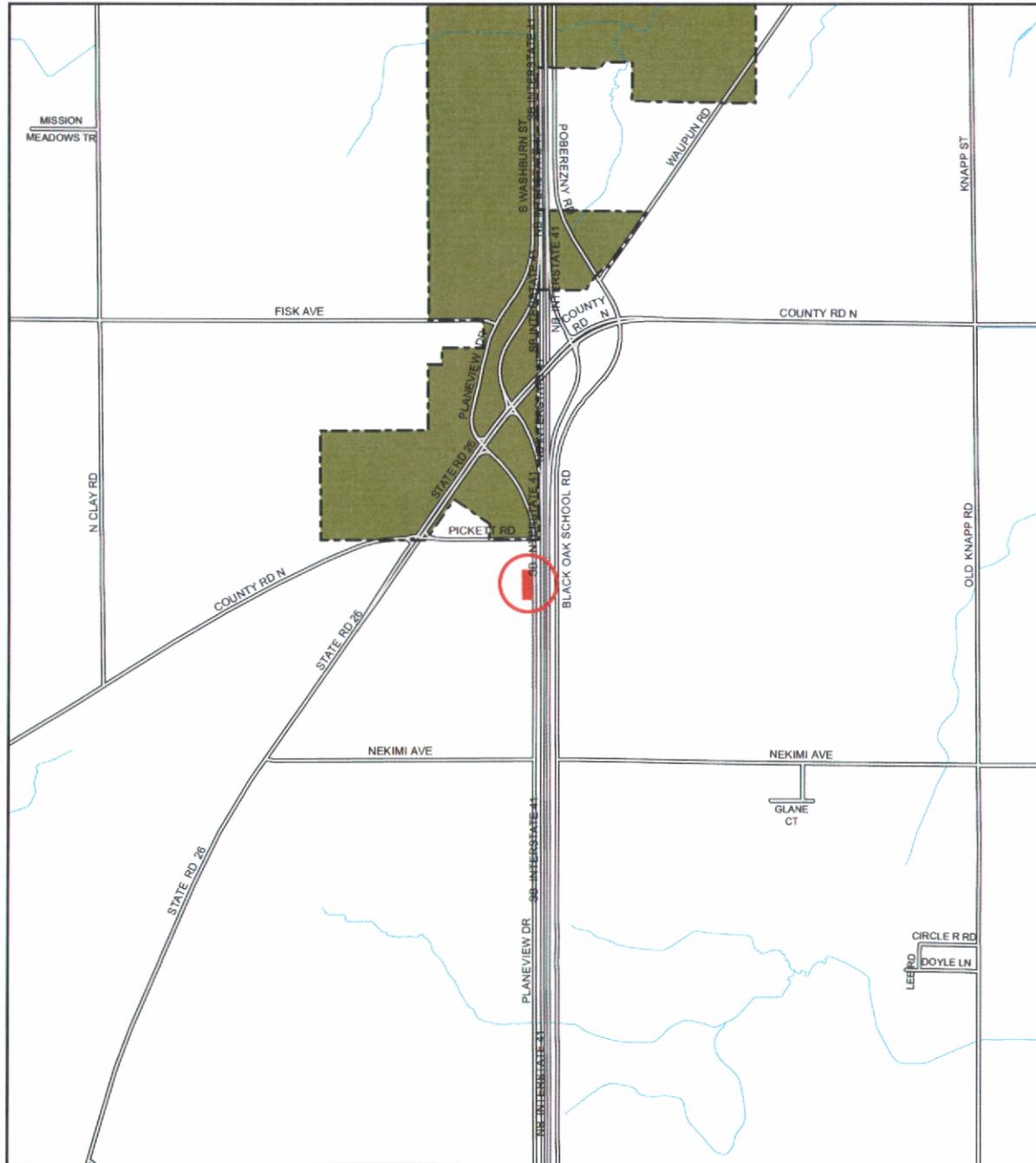
○ = SITE

Application #18-CU-4510

Date of Hearing:
May 29, 2018

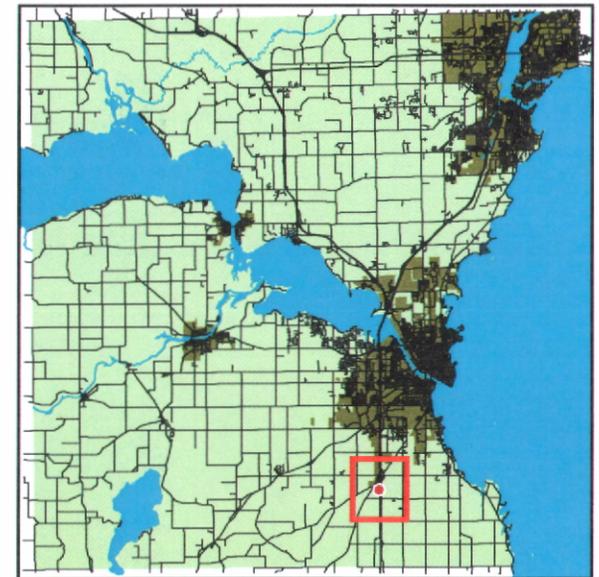
Owner(s):
MY41PROPERTIES, LLC

Subject Parcel(s):
012027601



*Winnebago County
WINGS Project*

● = SITE



1 inch : 2,000 feet

WINNEBAGO COUNTY

Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE 5/29/2018

TO WHOM IT MAY CONCERN:

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INFORMATION ON CONDITIONAL USE REQUEST

Application No.: 2018-CU-4500

Applicant: SPRINGBROOK SPORTMANS CLUB

Agent: RAPP, DAVID

Location of Premises: 5923 SPRINGBROOK RD, OMRO, WI 54963

Tax Parcel No.: 016-028801, 016-0288

Legal Description:

Being a part of the NE 1/4 of the SW 1/4, Section 10, Township 18 North, Range 15 East, Town of Omro, Winnebago County, Wisconsin.

Code Reference:

23.8347 "Outdoor Shooting Range"

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit for expansion of an existing outdoor shooting range.

INITIAL STAFF REPORT

Sanitation:

Existing System
Municipal System

Overlays:

Floodplain
Shoreland
Wetlands

Current or Proposed Zoning:

A-2 General Agriculture

Code Reference:

23.8347 "Outdoor Shooting Range"

Description of Proposed Use:

Applicant is requesting a Conditional Use Permit for expansion of an existing outdoor shooting range.

Surrounding Zoning:

North: A-2
South: A-2
East: A-2
West: R-1;A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe the Proposed Use:

The proposed use of the property would be the same it has been since 1954. It will be used as a sport shooting facility, and training environment for law enforcement, and correctional officers. It is also used as an educational facility for Hunters Safety instruction. The use of the property for these activities is during daylight hours, from approximately 8 AM to 4:30 PM.

The hours of operation and availability for members are very much seasonal. There is a heavier usage during spring, summer and fall, than during the winter months. During these time frames most activity is during daylight hours. During these activities, members are restricted to the hours between daylight and dusk.

During the late spring, and summer months the range is open one night a week for trap shooting. During this activity, lighting is used, but again this dependent on weather conditions, as the season progresses, the length of day light hours.

During the summer trap season, the club employs four young people, who are at least the age of 16 to mark scores for the shooters, and to fill the trap machines. This is usually from the end of April, to mid-August. They are given safety training about the machines, and are monitored by an adult member of the club.

We are in the stages of planning a makeover of the trap fields. This to include moving the trap houses, re-pouring of the trap lanes, new lighting systems, and including connecting walkways that are handicap accessible.

There are no plans to develop any of the other parcels owned by Springbrook Sportsman's Club.

Describe How the Proposed Use Will Not Have Any Adverse Effects on Surrounding Property:

What is being proposed, the re-doing of the trap fields, including new lighting, moving of the existing trap houses, and new concrete trap lanes should have no adverse effect on any surrounding properties.

Built into the plan is approximately two foot drain field, running west to east to improve drainage in the area. It would carry water that builds up due to snow or rain to the east, where it can run off into the natural drainage ditch located on the east edge of the property.

We see no impact to any other environmental issue to include odor, smoke, glare dust, vibration, fire hazard, or electrical interference.

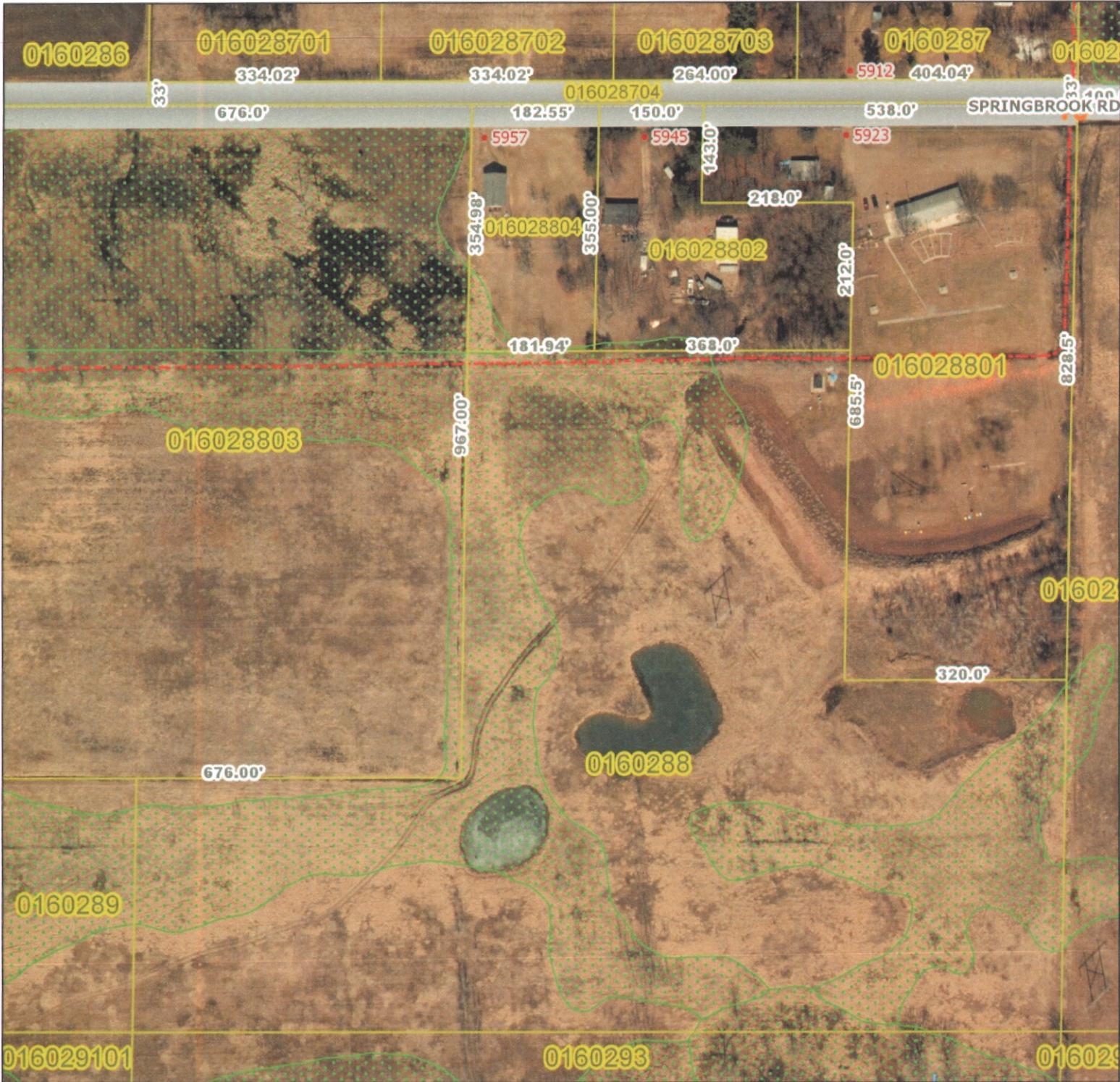
SECTION REFERENCE AND BASIS OF DECISION

23.7-114 Basis of decision

The town board and town plan commission of the town in which the proposed conditional use is located in making their recommendation and Planning and Zoning Committee in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

In the event the conditional use being proposed is an adult-oriented establishment, the above-named decision-making bodies shall not consider the nature of expressive conduct protected by the U.S. Constitution with regard to any of the above-mentioned criteria.



Site Map

Legend

- Address Marker
- ▭ Tax Parcel
- Local Road
- - - Private Road
- ▭ Road R.O.W.
- Simultaneous Conveyance
- ▭ Certified Survey
- ▭ Condominium
- ▭ Assessor Plat
- ▭ Subdivision
- ▭ Plat of Survey
- ▭ Conveyance Divisions



1 Inch = 200 Feet



W.I.N.G.S. Project Disclaimer
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Mar 09, 2018 @ 01:16 PM



Application #18-CU-4500

Date of Hearing:

May 29, 2018

Owner(s):

Springbrook Sportsman's Club, Inc.

Subject Parcel(s):

0160288 & 016028801



Winnebago County
WINGS Project

Scale

1 inch : 400 feet

County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial Zoning Jurisdiction

Incorporated Area

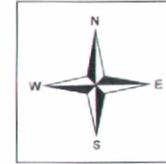
○ = SITE

Application #18-CU-4500

Date of Hearing:
May 29, 2018

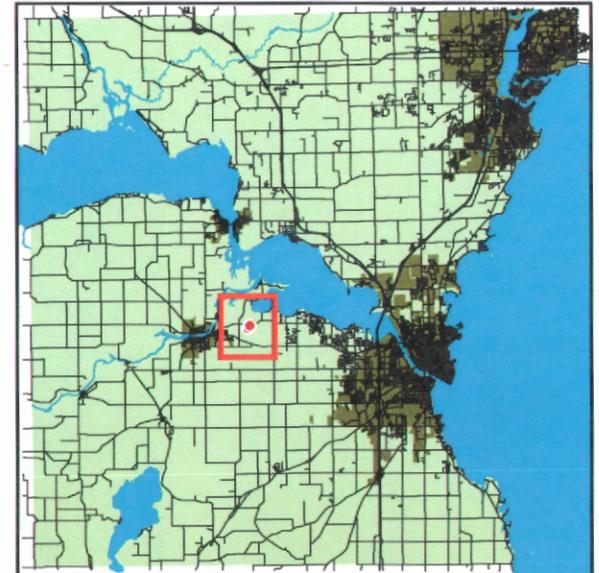
Owner(s):
Springbrook Sportsman's Club, Inc.

Subject Parcel(s):
0160288 & 016028801

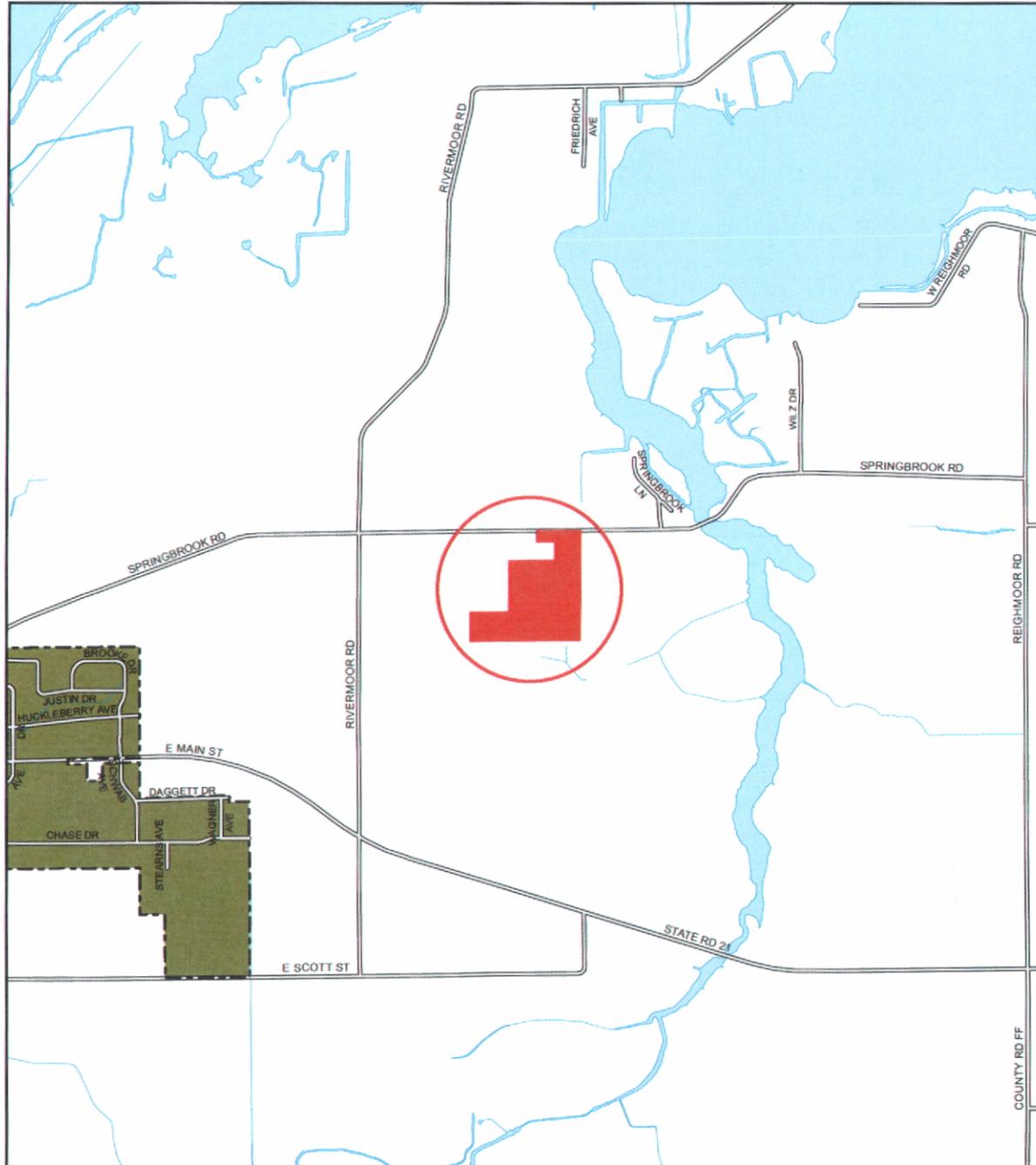


*Winnebago County
WINGS Project*

● = SITE



WINNEBAGO COUNTY



1 inch : 2,000 feet

RURAL ACCESSORY BUILDING DETERMINATION
INITIAL STAFF REPORT

OVERLAYS:

Shoreland NO Floodplain NO SWDD NO Outagamie Airport NO
Wetlands NO Microwave NO Wittman Airport NO

SURROUNDING ZONING:

North	A-2
South	A-2
East	A-2
West	A-2

SECTION REFERENCE OF REGULATION: Chapter 23, Article 7, Division 17 of the Winnebago County Town/County Zoning Code.

ORDINANCE PROVISION: The ordinance allows for qualifying buildings to be classified as “rural accessory buildings”. If a building is so designated, it is not counted towards the allowable number of accessory buildings on a lot or towards the allowable building square footage permitted on a lot.

EXPLANATION: Owner/Applicant is requesting a rural accessory building determination for a 30’ x 30’ farm out-building.

BASIS OF DECISION:

23.7-334 Basis of decision

In making their decision, the Planning and Zoning Committee, and the Board of Adjustment on appeal, shall initially determine whether the building meets at least one of the following criteria:

- (1) The building is set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historic significance, or design.
- (2) The building is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practice.
- (3) The building is associated with a person of historic significance or with important historical events.
- (4) The building represents a notable work of a master builder, designer, or architect who influenced their age. If the committee (board) determines that the building meets one of the above criteria, the committee (the board) shall then consider, at a minimum, the following factors in making their final decision:
 - (1) effects of the building on the natural environment,
 - (2) effects of the building on surrounding properties,
 - (3) the overall appearance of the building; and
 - (4) any other factor that relates to the purposes of this chapter as set forth in s. 23.1-5 and other sections as may apply.

Any building designated a rural accessory building is assumed to be structurally sound to meet minimum safety requirements for the proposed use. Such determination shall not relieve the property owner of any responsibility or liability as to the building and shall not form a basis of liability against any governmental official or entity.



Winnebago County Zoning Department

P.O. Box 2808
112 Otter Ave, 3rd Floor
Oshkosh, WI 54903-2808
(920) 232-3344
(920) 232-3347 (fax)



For office use only

Receipt # #

Application #: 18-RABD-01

RURAL ACCESSORY BUILDING DETERMINATION

Fee: \$0.00

Payable to: Winnebago County

(Please print or type. Please use black ink for duplicating purposes.)

A. PROPERTY OWNER:

A-1 NAME: Jeff + Deanne STRASSER

Mailing Address: 7140 Woodenshoe Rd
Neenah WI 54956

Phone: 920-268-8622 E-mail: jdstrasser4@gmail.com

Permission is hereby granted for appropriate County Staff to enter upon the property for the purpose of conducting inspections. Said permission is to remain in effect until the conclusion of the application and is binding upon all heirs and assigns.

Property Owner's Signature [Signature] Date 4-22-18

I HEREBY APPOINT THE FOLLOWING AS MY AGENT FOR PURPOSES OF THIS APPLICATION:

A-2 AGENT (NAME): _____

Mailing Address: _____

Phone: _____ E-mail: _____

Agent's Signature: _____ Date: _____

B. PROPERTY INFORMATION:

B-1 Tax Key/Parcel #: 010-0083

B-2 Location of affected property: 7140 Woodenshoe Rd. Neenah WI 54956

B-3 Current Zoning: B-2

Zoning Code Legend			
A-1 Agribusiness district	B-1 Local Service Business district	B-2 Community Business district	B-3 General Business district
A-2 General Agriculture district	I-1 Light Industrial district	I-2 Heavy Industrial district	M-1 Mixed-Use district
R-1 Rural Residential district	PDD Planned Development district		
R-2 Suburban Residential district			
R-3 Two-family Residential district			
R-4 Multifamily Residential district			
R-8 Manufactured/Mobile Home Community district			

B-4 Current Use: WORKSHOP + STORAGE

Use (Proposed): WORKSHOP + STORAGE

Applicant, please fill out of all the questions in your own words.
Responses may be typed on a separate sheet and attached to this form.

C-1 Describe the building (e.g. residence, garage, dairy barn, milk house), and any additions that have been made to the original building:

C-2 Explain how the building meets at least one of the following criteria:

- The building is set apart from other buildings as being distinct, due to its construction technique, construction materials, age, local historical significance, or design
- The building is characteristic of past agricultural practices or rural life, whether presently utilized or not for agricultural practices.
- The building is associated with a person of historic significance or with historical events.
- The building represents a notable work of a master builder, designer, or architect who influenced their age.

C-3 Describe the following factors in relation to the approval of the request;

- Effects of the building on the natural environment
- Effects of the building on surrounding properties
- The overall appearance of the building

C1 – On my property I have a barn red 30 X 30 one story old stand-alone building that was for farm use. At some point in time, 12 ft was added onto the southside of the original building. I am currently using it for as a workshop and storage.

C2 – Pretty much everything about the building is distinct. The siding is 2" wood double lap, the addition has OSB. The roof material is cut to length plank boards, now covered by steel. The buildings frame is rough-sawn lumber (that meaning true 4 X 4' and 2 X 4's). Although the exact age of my building may be unknown, research shows this technique construction was used pre-WW2. It is clear the building was used for past agricultural practices. It would be very interesting to know all of its previous uses; milk house, workshop, tractor/hay storage, and/or horse barn. The door on the northside has a horizontal half door and the eastside has an exterior loft access.

In general, homes built before World War II were likely to be built with rough-sawn full-dimension 2x4s. During the late 1940s, builders in many areas of North America switched to planed 2x4s that measure 1.5" x 3.5". Read more: <http://www.greenbuildingadvisor.com/community/forum/general-questions/38991/how-long-ago-were-2x4-actually-4-inches#ixzz5CZOxansK>

C3 – The building represents what was once on my property. Living in the country I believe my building does not have an effect on any of the surrounding properties and has a positive effect on the natural environment. The building is structurally sound and its barn like appearance adds to the rural life setting that I live in.

In a pre-submittal meeting, Cary Rowe told me he would recommend to the committee that my building be designated as a rural accessory building (RAB). He did express that the committee may not classify its addition as such. Having it classified is my preference and I intend to restore the addition to match the siding of the original building. He also suggested that only the square footage of the original building be classified RAB, in which case I would still restore the siding. If the committee may be thinking not to designate this as a RAB, I question if it would be because of the addition. If that were the case, I would be willing to remove the addition.



Looking East. Farm field behind.



Looking West. House and road behind.



Looking ~~North~~ South. Farm field behind.



Looking ~~South~~ North. Farm access/vacant lot behind.



VIEW FROM Road



Photo taken in LOFT of rough-sawn
Full-dimension 2x4's + plank roofing
4x4's

